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HOUSE BILL 159

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

LISA L. LUTZ

AN ACT

RELATING TO MOTOR VEHICLES; REGARDING ENFORCEMENT OF SEAT BELT  
USE; AMENDING A SECTION OF THE SAFETY BELT USE ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-373 NMSA 1978 (being Laws 1985,  
Chapter 131, Section 4, as amended) is amended to read:

"66-7-373. ENFORCEMENT PROGRAMS. --

A. Failure to be secured by a child passenger  
restraint device or by a safety belt as required by the Safety  
Belt Use Act shall not in any instance constitute fault or  
negligence and shall not limit or apportion damages.

B. The traffic safety bureau of the state highway  
and transportation department, in cooperation with the state  
department of public education and the department of health,  
shall, to the extent that funding allows, provide education to

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1 encourage compliance with the use of restraint devices in  
2 reducing the risk of harm to their users as well as to others.

3 C. The traffic safety bureau of the state highway  
4 and transportation department shall evaluate the effectiveness  
5 of the Safety Belt Use Act and shall include a report of its  
6 findings in the annual evaluation report on its highway safety  
7 plan that it submits to the national highway traffic safety  
8 administration and the federal highway administration under 23  
9 U.S.C. 402.

10 D. The provisions of the Safety Belt Use Act shall  
11 be enforced [~~whether or not associated with the enforcement of~~  
12 ~~any other statute~~] only in association with the enforcement of  
13 another statute. "

14 Section 2. EFFECTIVE DATE. -- The effective date of the  
15 provisions of this act is July 1, 1997.

# State of New Mexico House of Representatives

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

February 11, 1997

Mr. Speaker:

Your GOVERNMENT AND URBAN AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 159

has had it under consideration and reports same with recommendation that it DO NOT PASS, amended as follows:

1. On page 2, strike lines 10 through 13 in their entirety and insert in lieu thereof the following new subsections:

"D. Except as provided in Subsection E of this section, the provisions of the Safety Belt Use Act shall be enforced whether or not associated with the enforcement of any other statute.

E. The provisions of the Safety Belt Use Act shall be enforced only in association with the enforcement of another statute when all the occupants of a motor vehicle are eighteen years or age or older."",

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HGUAC/HB 159

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and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

\_\_\_\_\_  
Lynda M. Lovejoy, Chairwoman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

Excused: None

Absent: None

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